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March 3, 2003

Please deliver to: Technology Center 1600
Examiner Michelle Flood
Art Unit 1654
Facsimile Number: 703-305-3014

FAX RECEIVED

GROUP 1600

Sender: Robert D. Trayer, Registration No. 47,999

Application Serial No. 10/040,572

Attorney Docket No. 4147-23-1

No. pages, incl. this one: 3

Attachment

AMENDMENT AND RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Bathurst et al.

Serial No.: 10/040,572

Filed: January 4, 2002

Atty. File No.: 4147-23-1

For: "AQUEOUS ANTI-APOPTOTIC
COMPOSITIONS "Assistant Commissioner for Patents
Washington, D.C. 20231

) Group Art Unit: 1654

) Examiner: Michelle Flood

) AMENDMENT AND RESPONSE

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) Signature: Constance Robnett) Date: 3 March 2003

Dear Sir:

This Response is filed in reply to the Office Action mailed 29 January 2003 (Paper No. 5).
In the event any fees are due in connection with the filing of this Amendment and Response, please
debit Deposit Account No. 19-1970.

Please amend the application as follows:

IN THE CLAIMS:

Please cancel Claims 1-10.

Application No. 10/040,572

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action mailed 29 January 2003 (Paper No. 5). Claims 1-10 have been cancelled without intending to abandon or to dedicate to the public any patentable subject matter. Accordingly, following entry of the foregoing amendments, Claims 11-13 will be pending.

Election/Restriction:

The Examiner has imposed a restriction requirement under 35 U.S.C. § 121 between Claims 1-10 (Group I) and Claims 11-13 (Group II). Applicants hereby elect the Examiner's Group II invention, as claimed in Claims 11-13, for examination.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

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Date: 3 March 2003